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It was urged that the legislation was in conflict with the power of Congress to regulate inter-state commerce, but as the corporation was a domestic one, operating within the State, it was held that the statutes affected the product before it had become a subject of inter-state commerce. It was also urged that inasmuch as the use of harmless coloring matter was permitted in the case of natural butter, but denied in the case of artificial butter, there was a denial of the equal protection of the laws, and a taking of property without due process of law. But it was held that as the state court had decided that this was not for the purpose of discriminating in favor of butter, but only to provide a means by which the public might distinguish between natural and artificial butter, the legislation must be deemed valid. "It cannot in reason be said," declared the supreme court, "as a mere matter of judicial inference, that such regulations for such purpose were a mere arbitrary interference with rights of property, denying the equal protection of the laws, or that they amounted to a taking of property without due process of law." *Powell v. Pennsylvania*, 127 U. S. 678, and *Plumley v. Massachusetts*, 155 U. S. 461, were held to be conclusive of the questions presented.

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STATUTE OF LIMITATIONS—FAILURE TO LEAVE SUBJACENT SUPPORT IN MINING—WHEN STATUTE BEGINS TO RUN.—The supreme court of Pennsylvania had occasion, in a late case, to pass upon the vexed question as to the time when the statute of limitations begins to run, where there has been a failure to leave sufficient supports to maintain the surface—whether from the time the mineral is removed, or from the time when the surface subsides. The court held that the statute begins to run from the former date, so that in the case at bar there could be no recovery where there had been no subsidence until after the statutory period had expired, *Noonan v. Pardee*, 200 Pa. 474, 50 Atl. Rep. 255 (1901), 55 L.R.A. 410. The court cited several English cases, including *Backhouse v. Bonomi*, 9 H. L. Cas. 503, but declared that the cases in England were so conflicting that the law could not be considered as settled there. Curiously enough, however, it failed to cite (though the briefs show it had its attention drawn to) the leading and important case of *Darley Main Colliery Co. v. Mitchell*, 11 App. Cas. 127, (Mechem's Cases on Damages, 117,) wherein the House of Lords fully considered the question and came to the opposite conclusion.